



Docket No: Westphal 6469

DAK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Becker et al.

GROUP: 2632

#10

SERIAL NO: 10/012,200

EXAMINER: B. Swarthout

FILED: November 13, 2001

FOR: A MULTIMEDIA UNIT HAVING MULTIPLE
TRANSCIVERS FOR USE IN A VEHICLE

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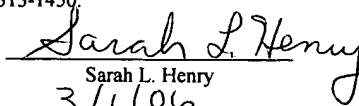
Sir:

SECOND REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

The undersigned attorney checked the status of this matter on February 28, 2006 on the PAIR system and the system still indicates that this matter is abandoned. However, this abandonment was not proper and accordingly the undersigned attorney requests withdrawal of the abandonment. On February 11, 2004, the undersigned attorney filed an Appeal Brief along with the requisite fee with the United States Patent and Trademark Office (USPTO). After some time had lapsed, the undersigned attorney contacted Examiner Swarthout to check on the status of this Appeal. The Examiner indicated to the undersigned that he had not received the Appeal Brief, and accordingly the undersigned submitted the attached e-mail message on September 15, 2004. A copy of the e-mail message to Examiner Swarthout is attached as Exhibit A.

On November 16, 2004, the USPTO issued a Notice of Abandonment.


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date below, with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Sarah L. Henry
3/1/06
Date

On November 18, 2004, the undersigned attorney submitted a Request to Withdraw Holding of Abandonment via a first-class certificate of mailing. The Request to Withdraw Holding of Abandonment and each of the Exhibits filed November 18, 2004 are also attached as Exhibit B. Significantly, as set forth in the Request to Withdraw Holding of Abandonment filed November 18, 2004, check number 14759 that accompanied the Appeal Brief was cashed by the USPTO and cleared the bank on February 20, 2004. Hence, the USPTO clearly received the Appeal Brief, and thus the erroneous Notice of Abandonment should be withdrawn.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patrick O'Shea", written in dark ink. The signature is positioned above a horizontal line.

Patrick J. O'Shea
Reg. No. 35,305
O'Shea, Getz & Kosakowski, P.C.
1500 Main Street, Suite 912
Springfield, MA 01115
(413) 731-3100, Ext. 102

Patrick J. O'Shea

From: Patrick J. O'Shea
Sent: Wednesday, September 15, 2004 4:27 PM
To: 'brent.swarthout@uspto.gov'
Subject: Serial No. 10/012,200

MAR 06 2006

PATENT & TRADEMARK OFFICE

Examiner - as a follow-up to our exchange of voice mail messages last week in response to my inquiry, attached please find:

- (i) a copy of an Appeal Brief;
- (ii) a copy of a transmittal letter than accompanied the Appeal Brief;
- (iii) a copy of a check #14759 and postcard the accompanied the transmittal letter and Appeal Brief; and
- (iv) a copy of a returned postcard bearing the stamp of the USPTO indicating receipt of these items.

We filed this appeal brief on February 11, 2004 via first class mailing with a first class certificate of a mailing. These documents were received by the USPTO on February 13, 2004 as indicated by the returned post card. In addition, our records indicate that check #14759 in amount of \$330 that accompanied the appeal brief was cashed by the Office and cleared our bank on February 20, 2004.

Please let me know if you need any additional papers from me in order to get this matter on track. Regards.



Transmittal
Letter.pdf (31 KB)...



Appeal Brief.pdf
(250 KB)



Check and
postcard.pdf (45 KB)



Returned
postcard.pdf (17 KB)

Patrick J. O'Shea
Gauthier & Connors LLP
225 Franklin Street, Suite 3300
Boston, MA. 02110
(617) 426-9180, Ext. 121
Fax: (617) 426-2275

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Harman.6469

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APPLICANT: Becker et al. GROUP: 2632
SERIAL NO: 10/012,200 EXAMINER: B. Swarthout
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TRANSCIVERS FOR USE IN A VEHICLE

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P.O. Box 1450
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Sir:

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Attached is a copy of a Notice of Abandonment that we received today (Exhibit A). The Notice indicates that the application allegedly became abandoned since an Appeal Brief was not filed subsequent to the Notice of Appeal filed December 11, 2003.

On February 11, 2004 the undersigned filed an appeal brief (Exhibit B) via first class mailing with a first class certificate of mailing (Exhibit C). These documents were received by the USPTO on February 13, 2004 as indicated by the returned post card (Exhibit D). In addition, our records indicate that check #14759 (Exhibit E) in the amount of \$330 that accompanied the Appeal Brief was cashed by the USPTO and cleared our bank on February 20, 2004. Accordingly, the Appeal Brief was timely filed in triplicate and withdrawal of the Notice of Abandonment is respectfully requested.

Three copies of the Appeal Brief are enclosed herewith since the original submission was obviously not properly entered into the file.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on November 18, 2004 in an envelope with sufficient postage for first class mail addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Tanya Bellanti

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patrick O'Shea". The signature is written in dark ink and is positioned above a horizontal line.

Patrick J. O'Shea
Registration No. 35,305
Gauthier & Connors LLP
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110
Telephone: (617) 426-9180
Extension 121



Harman.6469
10/012,200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Becker et al. **GROUP:** 2632
SERIAL NO: 10/012,200 **EXAMINER:** B. Swarthout
FILED: November 13, 2001
FOR: A MULTIMEDIA UNIT HAVING MULTIPLE
TRANSCEIVERS FOR USE IN A VEHICLE

Honorable Commissioner of Patents
and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF

This appeal is in response to the Official Action dated September 11, 2003, which has been made final. A check in the amount of \$330 is enclosed herewith pursuant to 37 C.F.R. §1.17(c).

TABLE OF CONTENTS

I. Real Party in Interest.....	3
II. Related Appeals and Interferences.....	3
III. Status of Claims.....	3
IV. Status of Amendments.....	3
V. Summary of the Invention.....	3
VI. Issues.....	4
VII. Grouping of Claims.....	4
VIII. Argument.....	4
IX. Conclusion.....	7
Appendix A	8

I. REAL PARTY OF INTEREST

The real party of interest is Becker GmbH of Karlsbad, Germany, currently of record as the assignee of the present invention. Becker GmbH is part of Harman International of California.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF CLAIMS

On December 11, 2003 the appellant appealed from the final rejection of claims 1-14 under 35 U.S.C. §103(a). These claims, as currently amended in Appendix A to correct a typographical error, are all the remaining claims in this application.

IV. STATUS OF AMENDMENTS

A proposed amendment to claims 1, 11 and 13 is enclosed in herewith in Appendix A to correct a latent typographical error. No other amendments have been filed subsequent to the final rejection.

V. SUMMARY OF THE INVENTION

A multimedia system for use in a motor vehicle includes a plurality of multimedia units that are connected in a ring-shaped data bus. At least one of the multimedia units includes at least two transceivers that are controlled by a network controller. Providing a network controller

for a multimedia unit having a *plurality* of transceivers relieves the processors of these units. From the point of view of the network, the transceivers of the multimedia unit no longer look like independent network subscribers. Rather, the network sees a non-intelligent node, which is controlled by an intelligent node.

VI. ISSUES

Whether claims 1-14 are nonobvious over U.S. Patent 6,414,951 to Murakami (hereinafter "Murakami")

VII. GROUPING OF THE CLAIMS

Since the rejection of all the remaining claims is the same, Appellant believes that all the remaining claims stand or fall together.

VIII. ARGUMENT

Claim 1 recites a multimedia unit for use in a vehicle multimedia system that includes a plurality of multimedia units connected to a ring-shaped bus. The multimedia unit comprises:

"a plurality of transceiver units configured to communicate over the ring-shaped bus, wherein said multimedia unit includes a network controller that controls the communication of said plurality of transceiver units over the ring-shaped bus."
(emphasis added, cl. 1).

As set forth in claim 1, the multimedia unit includes a *plurality of transceiver units*, and each of the transceiver units is controlled by a network controller. In contrast, Murakami discloses that a single network controller controls a single associated transceiver. For example, FIG. 2 of Murakami illustrates that the node N1 includes only a single transceiver, which includes receiver

11 and transmitter 29. A fair and proper reading of Murakami reveals that this prior art reference neither discloses nor suggests a multimedia unit as recited in claim 1, which includes: (i) a *plurality* of transceivers and (ii) a network controller, *wherein the network controller controls the communication of the plurality of transceiver units over the ring-shaped bus.*

The Official Action contends “*Murakami discloses a vehicle multimedia system (col. 7, line 3) including plural multimedia units (col. 7, lines 29-36), each multimedia unit comprising plural node, comprising first and second transceiver units 11/29 for receiving incoming signals and outputting signals in the ring network, and transmission means for sending signals to supervisory controller 7 (col. 12, lines 24-38).*” (Official Action, pg. 2). This rejection is premised on an overly broad and incorrect construction of the subject matter disclosed Murakami.

Each node of Murakami (e.g., node N1 as shown in FIGs. 1-2) includes only a single transceiver. Murakami discloses that “11” is a frame reception unit and “29” is a frame transmission unit (see FIG. 2 of Murakami). Units 11 and 29 are not individual transceivers. A transceiver unit includes both a transmitter and a receiver. The rejection set forth in the Official Action is misconstruing the plain and ordinary meaning of the term transceiver, since the Official Action is construing reception unit 11 as a transceiver and transmission unit 29 as a transceiver. A fair and ordinary reading of Murakami reveals that each node (see FIGs. 1-2 of Murakami) includes only one transceiver, and not a plurality of transceivers as recited in claim 1.

Claim 11 recites a motor vehicle multimedia system, which includes:

“a ring-shaped data bus; and
a plurality of multimedia units connected to the ring-shaped bus, at least one of said multimedia units comprises a plurality of transceiver units and a network controller, wherein said multimedia units are configured and arranged to communicate over said ring-shaped bus and said network controller controls the

communication of its associated said plurality of transceiver units over said ring-shaped bus.” (emphasis added, cl. 11).

As set forth above with respect to claim 1, Murakami neither discloses nor suggests a multimedia unit that includes a plurality of transceiver units, wherein each of the plurality of transceiver units communicates over the ring-shaped bus. Murakami is also incapable of rendering claim 11 obvious.

Claim 13 is patentable for at least all the reasons set forth above.

CONCLUSION

For all the foregoing reasons, we submit that the rejection of claim 1-14 is erroneous and reversal thereof is respectfully requested.

If there are any fees due in connection with the filing of this appeal brief, please charge them to our Deposit Account 19-0079. If a fee is required for any extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should be charged to the above Deposit Account.

Respectfully submitted,



Patrick J. O'Shea
Reg. No. 35,305
Gauthier & Connors LLP
225 Franklin Street, Suite 3300
Boston, MA 02110
(617) 426-9180, Ext. 121

CLAIMS

1 1.(Currently Amended) A multimedia unit for use in a vehicle multimedia system that
2 includes a plurality of multimedia units connected to a ring-shaped bus, said multimedia unit
3 comprising a plurality of a-transceiver units configured to communicate over the ring-shaped bus,
4 wherein said multimedia unit includes a network controller that controls the communication of
5 said plurality of transceiver units over the ring-shaped bus.

1 2.(Previously Amended) The multimedia unit of claim 1, wherein said plurality of
2 transceivers are configured and arranged to communicate over a ring-shaped Media Oriented
3 Systems Transport bus.

1 3.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 radio receiver.

1 4.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 television set.

1 5.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 CD player.

1 6.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 DVD player.

1 7.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 disk changer.

1 8.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 cassette recorder.

1 9.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 navigation system.

1 10.(Original) The multimedia unit of claim 2, wherein the multimedia unit is configured as a
2 multimedia network operating and control unit.

1 11.(Currently Amended) A motor vehicle multimedia system, comprising:
2 a ring-shaped data bus; and
3 a plurality of multimedia units connected to said ring-shaped bus, at least one of said
4 multimedia units comprises a plurality ~~a-of~~ transceiver units and a network controller, wherein
5 said multimedia units are configured and arranged to communicate over said ring-shaped bus and
6 said network controller controls the communication of its associated said plurality of transceiver
7 units over said ring-shaped bus.

1 12.(Previously Amended) The motor vehicle multimedia system of claim 11, wherein said
2 ring-shaped data bus is configured and arranged as a Media Oriented Systems Transport bus.

1 13.(Currently Amended) A motor vehicle multimedia system, comprising:
2 a data bus; and
3 a plurality of multimedia units each connected to said data bus, and at least one of said
4 multimedia units comprises a plurality ~~a-of~~ transceiver units and a network controller, wherein

5 said multimedia units are configured and arranged to communicate over said shaped bus and said
6 network controller controls the communication of its associated said plurality of transceiver units
7 over said data bus.

1 14.(Previously Added) The motor vehicle multimedia system of claim 13, wherein said
2 data bus is configured and arranged as a Media Oriented Systems Transport bus.

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TRANSCIVERS FOR USE IN A VEHICLE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed herewith are three copies of the appellant's appeal brief.

Respectfully submitted,

Patrick J. O'Shea
Registration No. 35,305
Gauthier & Connors LLP
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110
Telephone: (617) 426-9180
Extension 121

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Tanya Bellanti
2-11-04
Date



Mailed on November 18, 2004

Westphal.6469

Enclosed please find the following in re:

U.S. Patent Appln. Serial No. 10/012,200
A MULTIMEDIA UNIT HAVING MULTIPLE TRANSCEIVERS
FOR USE IN A VEHICLE

- 1) Request to Withdraw Holding of Abandonment along with Exhibits A-E
- 2) 3 copies of an Appeal Brief

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A MULTIMEDIA UNIT HAVING MULTIPLE TRANSCIEVERS
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